IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL
ORIGINAL JURISDICTION

Dated: Nainital: the 20th day of May, 2005

Bail application No. 448 of 2005

Order on Bail Application of accused

CRIMINAL SIDE

1. Bagwan Das S/o Roop Chand
   R/o Village - Kulwant Nagar
   Colony, P.S. - Gadarpur,
   District - Udham Singh Nagar
2. Shyam Lal S/o Tulsi Ram
   R/o Village - Kulwant Nagar
   Colony, P.S. - Gadarpur,
   District - Udham Singh Nagar
3. Om Prakash S/o Sumeri Ram
   R/o Village - Kulwant Nagar
   Colony, P.S. - Gadarpur,
   District - Udham Singh Nagar .....Applicants

Versus

State of Uttaranchal ....Opposite Party

Arising out of case crime No. 507 of 2005
U/S 147, 148, 149, 307, 452, 506 I.P.C.
Police Station - Gadarpur
District - Udham Singh Nagar

Hon'ble B. C. Kandpal, J.

The applicants have applied for bail in case crime no. 507 of 2005, U/s 147, 148, 149, 307, 452, 506 I.P.C., Police Station - Gadarpur, District - Udham Singh Nagar.

Heard Sri Navneet Kaushik learned counsel for the applicants, learned A.G.A. and perused the record.

The record shows that it is a case of cross version as both the sides sustained injury on their persons. The F.I.R. has also been lodged by both the sides, i.e., the applicant as well as the complainant. The injuries are also there on the persons from the applicant side.

Keeping in view the aforesaid circumstances, it can not be ascertained at this stage as to which party is aggressive.

Considering the facts and circumstances of the case, I think it would be just and proper to release the applicants on bail at this stage.

Let the applicants, Bagwan Das, Shyam Lal, Om Prakash be released on bail on their executing personal bond and furnishing two sureties each in the like amount to the satisfaction of C.J.M. concerned.

(B. C. Kandpal, J.)

May 20, 2005
Shiv